(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH)

WRIT PETITION NO. 3574 /2002

PETITIONER : Bhupendra Kumar Jain, aged 54 Yrs.
S/o. Shri Khajanchi Lal Jain,
R/o. Near Socity Ara Millers,
Badhai Para, Road, Raipur (C.G.)

VERSUS

RESPONDENTS :

1) State of Chhattisgarh, through Secretary to the dept. of home Affairs, D.K.S. Bhawan Secretariat, Raipur (C.G.)
2) Superintendent of police, Raipur, Chhattisgarh
3) Station House office, P.S. City Kotwali, Raipur (C.G.)
4) Inspector General of Police, Raipur, C.G.
5) Jagdish Prasad Gupta S/o. Babulal Gupta, aged 67 years.
6) Pradeep Kumar Gupta S/o. Jagdish Prasad Gupta, aged 45 Years.
7) Sanjay Kumar Gupta S/o. Jagdish Prasad Gupta, aged 42 Years, respondent no. 5 to 7 are R/o. House No. 11/566, Sadar Bazar, Raipur, P.S. City Kotwali, Raipur

P.R. No. - 3361/03
Presented by Shri S.C. Verma
dated 31.10.03

Received
Delivered
31/10/03

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA FOR GRANT OF WRIT IN NATURE OF MANDAMUS OR CERCIORARI OR ANY OTHER WRITS OR DIRECTIONS OR ANY OTHER REMADY OF THE LIKE NATAURE

XI-HC-22

(17)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3574/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11.2.2004 Petitioner by Shri S. C. Verma, Advocate. Respondents No. 1 to 4 by Miss Sharmila Singhai, Deputy Govt. Advocate. The petitioner has preferred this petition under Article 226/227 of the Constitution of India being aggrieved by the inaction on the part of the respondents No. 1 to 4 with the averments that the petitioner is tenant of respondents 5 to 7. He was carrying on the business of stationary in the shop which is situated in the house No. 11/566 and 11/567, Sadar Bazar, Raipur. When the shop of the petitioner was closed from 18-3-2003 to 21-3-2003 for Holi Parva, respondents 5 to 7 broke open the shop and took away whole stationary materials value of which was about Rs. 1 lac. When on 22-3-2003 on opening the shop he knew about the incident, he immediately rushed to the police but they had not taken any action. Therefore, respondents No. 1 to 4 may be directed to initiate action against Respondents No. 5 to 7 and they be directed to restore the shop of the petitioner and suitable writ of mandamus or any other writ in favour of the petitioner be issued to do the justice. I have heard learned counsel for the petitioner as well as learned counsel for respondents 1 to 4. This petition relates to criminal activities committed by respondents 5 to 7 on 21-3-2003 and for this purpose when the petitioner's report was not accepted by respondents 2 to 4 he could have approached the concerned Court and filed a complaint under Section 200 of the Cr.P.C. and could have	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(18)

आदेश पत्रक

मामला क्रमांक wp 3574 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	requested for enquiry by the learned Magistrate to send the complaint to the 156(3) of the Cr.P.C. for investigation. directly approached this Court. efficacious alternative remedy available criminal Court for redressal of his grievances and on receipt of such representation necessary action in accordance with law.	Magistrate or could have requested the concerned police station under Section Instead of doing so, the petitioner has Therefore, the petitioner has equally under the criminal law to approach the evance. However, he is allowed 10 days' time from today to make a represen tation to respondent No.2 raising all his respondent No.2 will take
	With the above observation, this petition is disposed of finally.	
	Certified copy as per Rules.	
		Sd/- **L.C. Bhadoo** **Judge**

Thakur